

09/12/03
01919 U.S. PTO

Patent Application Transmittal
(only for new nonprovisional applications under 37 C.F.R. 1.53(b))

17497 U.S. PTO
10/660859
09/12/03

FIRM: ANDERSON KILL & OLICK, P.C. ADDRESS: 1251 Avenue of the Americas New York, New York 10020 TEL: (212) 278-1000 FAX: (212) 278-1733		EXPRESS MAIL Mailing label number: EV 216888933 US Date of Deposit: September 12, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231. _____ Naomi Mbys-Davidson (Typed or printed name of person mailing paper or fee) _____ (Signature of person mailing paper or fee)
		[37 CFR § 1.8 Certificate of Mailing CANNOT be used.]

Date: September 12, 2003
Attorney Docket No.: DE-1508

COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

Sir:

With reference to the filing in the United States Patent and Trademark Office of an application for patent in the name(s) of:

Jong-Soo WOO and Hong-Gi YI

entitled: **ORAL ITRACONAZOLE COMPOSITION WHICH IS NOT AFFECTED BY
INGESTED FOOD AND PROCESS FOR PREPARING SAME**

☒ **New Application**

☐ **Continuing Application**

☐ **Continuation** ☐ **Divisional** ☐ **Continuation-in-Part (CIP)**
of, filed.

[Note: If priority under 35 U.S.C. 120 involves a series of respectively co-pending applications, then in this amendment identify each and its relationship to its immediate predecessor.]

☐ **The prior application is assigned of record to**

☐ **This is an application of a small entity under 37 CFR 1.9(f) and the amounts shown in parentheses below have been employed in calculating the fee:**

The following are enclosed:

- ☒ Specification including Abstract (18 pages)
☒ 1 Sheet(s) of Drawings (Fig 1)
☒ 11 Claim(s) (including 1 independent claim)
☐ This application contains a multiple dependent claim
☐ Information Disclosure Statement, PTO-1449 and references;

- ☒ This filing fee has been calculated on the basis of the claims as amended by any enclosed preliminary amendment as follows:

Basic Fee \$750.00 (\$375.00).....	\$750.00
Number of Claims in excess of 20 at \$18.00 (\$ 9.00) each:	00.00
Number of Independent Claims in excess of 3 at \$84.00 (\$42.00) each:	00.00
Multiple Dependent Claim Fee at \$280.00 (\$140.00).....	00.00
<input checked="" type="checkbox"/> Assignment Recording Fee \$40.00.....	40.00
Total Filing Fee.....	<u>\$790.00</u>

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication and credit any overpayment to Deposit Account No. 01-1944. A duplicate copy of this sheet is enclosed

- (X) Any additional filing fees required under 37 CRF 1.16
(X) Any patent application processing fees under 37 CRF 1.17.

- ☒ Oath or Declaration and Power of Attorney
☒ New ☒ signed ☐ unsigned
☐ Copy from a prior application (37 C.F.R. 1.63(d))

Deletion of Inventors

- ☐ Signed Statement attached deleting inventor(s) named in the prior application (37 C.F.R. 1.63(d)(2) and 1.33(b))

- ☐ Power of attorney and/or correspondence address was changed during prosecution of the prior application. The new power of attorney is to . The new correspondence address is indicated above.

- ☐ Incorporation by Reference (for continuation or divisional application)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ A Preliminary Amendment is enclosed.
(Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

- ☐ Cancel in this application original claims of the prior application before calculating the filing fee.
(At least one original independent claim must be retained for filing purposes.)

- ☒ New formal drawings are enclosed.

- A receipt in the Case of an Original Deposit under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Pursuit of Patent Procedure is enclosed.
- A Sequence Listing in computer readable format on diskette as well as a paper version and a statement according to the rules for submitting sequence listings are enclosed.
- Certified copy of each foreign priority application on which the claim for priority under 35 U.S.C. 119 is based is enclosed herewith. A list of said foreign priority application(s) is (are) provided below. Acknowledgement thereof is requested.

Application No.

Filed

In

- X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of the application or credit any overpayment to Deposit Account No. 01-1944. A duplicate copy of this sheet is enclosed

- (X) Any patent application processing fees under 37 CFR 1.17
(X) Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.

Respectfully submitted,

Attorneys for Applicant(s)

By: 

Eugene Lieberstein

Registration No. 24,645